

ANDREW M. MANSHEL

August 20, 2015

Hon. Thomas J. McAvoy, Senior U.S. District Judge
Federal Building and U.S. Courthouse
15 Henry Street
Binghamton, NY 13901

Dear Judge McAvoy:

I write in regard to the sentencing of William Scarborough. I have practiced law in the State of New York for over thirty years. Most of my professional life has been dedicated to community building work in mission-driven organizations. For the last ten years I have served at Greater Jamaica Development Corporation, currently as its Executive Vice President. GJDC is one of the oldest community development entities in the state, working in a disinvested neighborhood in southeast Queens.

It has been my pleasure and privilege to partner with Bill Scarborough to improve economic conditions and the quality of life for those who live, work and visit Jamaica. I am honored to call him a friend. Bill had worked closely with GJDC on a range of projects to improve the community; including addressing water-table issues that effect most home-owners here and providing security cameras to the under-served neighborhoods here.

I know that the Court regularly sees letters regarding sentencing, particularly with respect to elected officials, testifying to a criminal defendant's community service; but I would like to respectfully suggest to the Court that Bill's case is extraordinary. In my experience he is a person of unusually high character. He quickly and fully took responsibility for his actions. I would appeal to the Court that in applying the law to his case, it take into consideration the context of Bill's admittedly criminal actions — and that justice requires the minimal possible additional punishment beyond his resignation from public office. His resignation is tragic not only for Bill and his family; but for this community which so deeply suffers from a lack of integrity in its public leadership. With all due respect to the Attorney General and the United States Attorney, in my humble view, rather than criminal prosecution, the appropriate sanctions for Bill's misjudgments, might have been repayment of inappropriate expenditures and correction of incorrect documents.

I respectfully urge the Court to recognize that in crafting the appropriate penalty for Bill's lapses, he not be made to suffer for the dysfunction that is generally present in New York State Legislature. Bill was a low-key, back-bencher working hard to represent the interests of his under-served community. Unlike some other public officials from southeast Queens who have recently been convicted of violating the public trust, Bill sought to be neither rich nor powerful; but rather to serve his community. His financial circumstances arose from the unfair and unfortunate effect of the legislative compensation structure on Members from New York City's low income communities. May I respectfully suggest to the Court, that Members of the New York State Assembly from low income backgrounds, who are not attorneys and not part of the legislative leadership are faced with very difficult personal financial challenges. While I

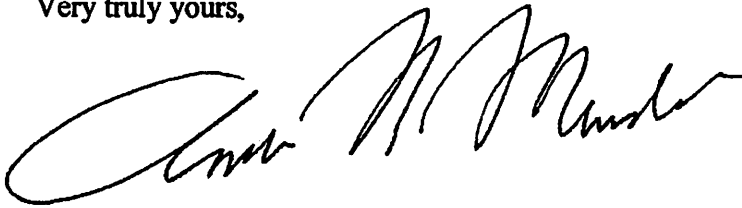
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recognize that Bill crossed a bright legal and ethical line, as a white member of the bar, from a relatively privileged background who has worked in this disadvantaged community of color for over a decade, I would suggest that it is difficult for those of us who have not shared his experiences to appreciate the choices that Bill was forced to make.

In my experience, Bill is a person unusually dedicated to public service and of great personal integrity. I am shocked and dismayed by the lapses in judgement that have resulted in Bill's now being placed before Your Honor for sentencing. There is no doubt that he has disappointed his friends and constituents. I would ask, with the greatest respect for the Court and with full recognition of the duty that Bill's case sets before it, that it take into consideration Bill's otherwise fine reputation and community service and suggest that justice has already been done in his case.

I am deeply grateful for the Court's consideration of this request.

Very truly yours,

A handwritten signature in black ink, appearing to read "Andrew M. Mander". The signature is fluid and cursive, with a large initial "A" and "M".